

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

LILLIE HOPSON, individually,)

Plaintiff,)

v.)

UNITED STATES OF)
AMERICA, a governmental)
Entity and **SHERRY HANSON**)
GREEN, Individually,)

Defendant.)

CIVIL ACTION NO.:

COMPLAINT

PARTIES

1. Plaintiff, **LILLIE HOPSON**, at all times material to the allegations of this Complaint was and is a resident citizen of Blountsville, in Blount County, Alabama, and is over the age of nineteen (19) years.
2. Suit is brought against Defendant, **UNITED STATES OF AMERICA**, because the United States government, specifically, **UNITED STATES POSTAL SERVICE**, and is the owner or had control over a vehicle identified as 2012 Jeep Wrangler bearing VIN 1C4BJWKG1CL160409.

Defendant, **SHERRY HANSON GREEN**, operated said vehicle on behalf of the **UNITED STATES POSTAL SERVICE** in Altoona, Blount County, Alabama, and having its principal place in business in Altoona, Blount County, Alabama at all times material to the allegations in this Complaint.

3. Defendant, **SHERRY HANSON GREEN**, at all times material to the allegations of this Complaint was and is a resident citizen of Altoona, in Blount County, Alabama, and is over the age of nineteen (19) years. Defendant, **SHERRY HANSON GREEN**, is the owner of a vehicle identified as 2012 Jeep Wrangler bearing VIN 1C4BJWKG1CL160409. Defendant, **SHERRY HANSON GREEN**, operated said vehicle on behalf of the **UNITED STATES POSTAL SERVICE** in Altoona, Blount County, Alabama.

JURISDICTION AND VENUE

4. Jurisdiction is founded under the provisions of 28 U.S.C. § 1331 (a), et seq. which grants this court jurisdiction in civil actions on the basis of federal question.
5. Plaintiff brings her Complaint pursuant to the Federal Tort Claims Act, 28 U.S.C. § 1346 and 28 U.S.C. § 2672, et, seq.

6. The violations complained of herein occurred in Blount County, Alabama and were committed within the Northern District of the State of Alabama.
7. Plaintiff, **LILLIE HOPSON**, complied with the requirements of the Federal Tort Claims Act § 2675 of filing a claim with the **UNITED STATES POSTAL SERVICE** within the specified time and exhausted his administrative remedy before filing this suit. Her Form 95 was served on **UNITED STATES POSTAL SERVICE** on February 17, 2017, and is attached as Exhibit "A".
8. The **UNITED STATES POSTAL SERVICE** denied the claim on June 15, 2017, and is attached as Exhibit "B". Plaintiff submits she has exhausted her administrative remedies under 28 U.S.C. §2675.

FACTS

9. On or about January 30, 2017, Plaintiff, **LILLIE HOPSON**, was operating a vehicle owned by Theresa Cornelius, specifically, a 2012 Nissan Sentra bearing VIN 3N1AB6APXCL644029. On or about January 30, 2017, Plaintiff, **LILLIE HOPSON**, was travelling south on County Road 41 in Blount County, Alabama, when it was hit by a vehicle driven by Defendant, **SHERRY HANSON GREEN**. At the time of the accident, Plaintiff,

LILLIE HOPSON, was severely injured and damaged.

10. On or about January 30, 2017, Defendant, **SHERRY HANSON GREEN**, an employee, agent, servant, and/or representative of Defendant, **UNITED STATES OF AMERICA**, was operating a vehicle for the **UNITED STATES POSTAL SERVICE**, specifically, a 2012 Jeep Wrangler bearing VIN 1C4BJWKG1CL160409 and traveling north on County Road 41 negotiating a curve. The vehicle driven by Defendant, **SHERRY HANSON GREEN**, crossed the centerline and struck the vehicle operated by Plaintiff, **LILLIE HOPSON**.

COUNT I
(Negligence, Wantonness, and/or Reckless Conduct
by United States of America)

11. Plaintiff re-adopts and re-incorporates Paragraphs 1 through 10 as if fully set out herein.
12. On or about January 30, 2017, upon a public roadway, to-wit, County Road 41 between County Road 42 and U.S. Highway 278, in rural Blount County, Alabama, **SHERRY HANSON GREEN**, an employee, agent, servant, and/or representative of Defendant, **UNITED STATES OF AMERICA**, was operating a vehicle for the **UNITED STATES POSTAL SERVICE**,

specifically, 2012 Jeep Wrangler bearing VIN 1C4BJWKG1CL160409, and cross the centerline striking the vehicle being operated by Plaintiff, **LILLIE HOPSON**.

13. On or about January 30, 2017, **SHERRY HANSON GREEN**, an employee, agent, servant, and/or representative of Defendant, **UNITED STATES OF AMERICA**, negligently, recklessly, and/or wantonly caused or allowed a motor vehicle owned and/or controlled by the Defendant to cross the centerline and strike the motor vehicle driven by Plaintiff, **LILLIE HOPSON**. Said negligent, reckless, and/or wanton conduct was the proximate cause of injuries and damages to the Plaintiff, **LILLIE HOPSON**, as outlined below.
14. The aforesaid negligent, reckless, wanton and/or other wrongful conduct of each of the above-described Defendant, **UNITED STATES OF AMERICA**, proximately caused the following injuries and damages of the Plaintiff, **LILLIE HOPSON**:
 - (a) Plaintiff was caused to suffer loss of consciousness, and injuries requiring surgery to the T8 to T11 posterior spinal with instrumentation as well as an open reduction with internal fixation of the left radius and ulna fracture.
 - (b) Plaintiff was caused to be permanently injured;

- (c) Plaintiff was caused and will be caused in the future to expend large sums of money in the nature of doctor, hospital, drug and other medical expenses in and about an effort to heal and cure her injuries;
- (d) Plaintiff was caused to be unable to pursue many of her normal and usual activities; and
- (e) Plaintiff was caused to suffer severe pain, mental anguish and emotional distress.

COUNT II
(Negligent Entrustment
by United States of America)

- 15. Plaintiff re-adopts and re-alleges Paragraphs 1 through 14 as if fully set out herein.
- 16. On or about January 30, 2017, Defendant, **UNITED STATES GOVERNMENT**, owned, rented, leased, and/or controlled a 2012 Jeep Wrangler bearing VIN 1C4BJWKG1CL160409 to Defendant, **SHERRY HANSON GREEN**, an employee, agent, servant, and/or representative of Defendant, **UNITED STATES OF AMERICA**, by and through the **UNITED STATES POSTAL SERVICE**.
- 17. On or before January 30, 2017, the Defendant, **UNITED STATES OF AMERICA**, by and through the **UNITED STATES POSTAL SERVICE**, was the owner and/or lessor of and had the right to control over the vehicle

being operated by Defendant, **SHERRY HANSON GREEN**. Defendant, **UNITED STATES OF AMERICA**, as default owner and/or lessor negligently entrusted the aforementioned vehicle to Defendant, **SHERRY HANSON GREEN**. The accident at issue occurred at the intersection of County Road 41 between County Road 42 and U.S. Highway 278 in rural Blount County, Alabama, was caused by Defendant, **SHERRY HANSON GREEN**, when she allowed the vehicle she was operating to cross the centerline. Defendant, **UNITED STATE OF AMERICA** by and through the **UNITED STATES POSTAL SERVICE**, entrusted said vehicle to to Defendant, **SHERRY HANSON GREEN**, and is therefore liable to the Plaintiff. Said negligent entrustment was a proximate cause of the severe injuries and damages as described in Count I.

COUNT III
(Negligence, Wantonness, and/or Reckless Conduct
by Sherry Hanson Green)

18. Plaintiff re-adopts and re-alleges Paragraphs 1-17 as if fully set out herein.
19. On or about January 30, 2017, upon a public roadway, to-wit, County Road 41 between County Road 42 and U.S. Highway 278, in rural Blount County,

Alabama, Defendant, **SHERRY HANSON GREEN**, an employee, agent, servant, and/or representative of Defendant, **UNITED STATES OF AMERICA**, was negligently, recklessly, and/or wantonly caused or allowed a crossed the centerline and allowed her vehicle to collide with a motor vehicle driven by Plaintiff, **LILLIE HOPSON**. Defendant, **SHERRY HANSON GREEN** was driving as an agent and/or representative for the **UNITED STATES POSTAL SERVICE**, specifically was driving a 2012 Jeep Wrangler bearing VIN 1C4BJWKG1CL160409. Said negligent, reckless, and/or wanton conduct was the proximate cause of injuries and damages to the Plaintiff, **LILLIE HOPSON**, as outlined in Count I.

20. The aforesaid negligent, reckless, wanton and/or other wrongful conduct of the above-described Defendant, **SHERRY HANSON GREEN**, combined and concurred, and as a proximate consequence thereof, the Plaintiff, **LILLIE HOPSON**, was injured and damaged as outlined in Count I.

WHEREFORE, Plaintiffs demand judgment against the Defendant in a sum in excess of the jurisdictional limits of this court which will fairly and adequately compensate the Plaintiff for injuries and damages sustained, together with interest from the date of injury, and the cost of this proceeding.



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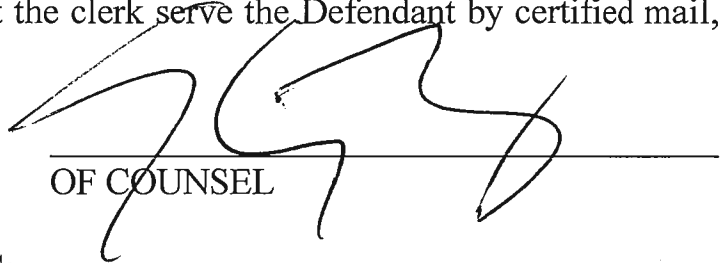
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REQUEST FOR CERTIFIED MAIL SERVICE BY CLERK

Plaintiff hereby requests that the clerk serve the Defendant by certified mail, return receipt requested.


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